

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLINTON D. WALLACE,

Petitioner,

v.

DANIAL CUEVA, Warden,

Respondent.

Case No. 23-cv-05514 NC (PR)

**ORDER OF TRANSFER**

Petitioner, a state prisoner at the California Medical Facility in Vacaville, which is in Solano County, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. *See* Dkt. No. 1. Petitioner challenges his state conviction out of Solano County. *Id.* at 1.

Venue for a habeas action is proper in either the district of confinement or the district of conviction. *See* 28 U.S.C. § 2241(d). Here, Petitioner is both currently confined in and was convicted out of Solano County, which lies within the venue of the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 84(b). Therefore, venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

Accordingly, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a). The Clerk shall terminate all

1 pending motions and transfer the entire file to the Eastern District of California.

2 **IT IS SO ORDERED.**

3 DATED: November 9, 2023

  
NATHANAEL M. COUSINS  
United States Magistrate Judge

United States District Court  
Northern District of California